

Summons in a Civil Action (Rev. 11/97)

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

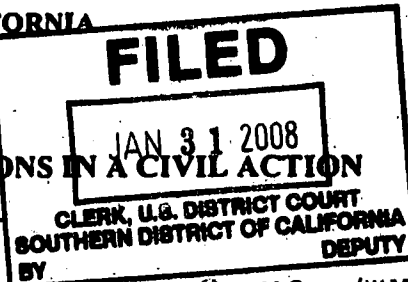
RODNEY M. TOOTHACKER

VS

THE UNITED STATES OF
AMERICA and The Internal
Revenue Service

SUMMONS IN A CIVIL ACTION

Case No.



'07 CV 2289 DMS (WMC)

TO: (Name and Address of Defendant)

THE UNITED STATES OF AMERICA

c/o U.S. Attorney's Office

101 West Broadway

San Diego, California 92101

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and
serve upon PLAINTIFF'S ATTORNEY

Rod M. Toothaker, IN PRO SE

13742 INDIAN PEAK TRAIL

POWAY, CALIFORNIA 92064

(858) 513-0217

An answer to the complaint which is herewith served upon you, within 60 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment
by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

CLERK

By

, Deputy Clerk

Summons in a Civil Action

DATE

Page 1 of 2

RETURN OF SERVICE

Service of the Summons and Complaint was made by me

DATE

December 18, 2007

NAME OF SERVER DEBRA L. BARKER

TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served:

101 West Broadway
San Diego, CA 92101-

Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: Lori MacDonald

Return unexecuted:

Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL \$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on:

Dec 18, 2007

Date

Signature of Server

Debra L Barker
PO Box 500347, San Diego, CA
92150-0347

Address of Server

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure